

**Draft
Environmental Assessment**

**White Deer Meadows
Conservation Easement**



August 27, 2018



***Montana Fish,
Wildlife & Parks***

Table of Contents

PART I. PROPOSED ACTION DESCRIPTION.....	3
Proposed state action	3
Agency authority for the proposed action	3
Anticipated Schedule	4
Location affected by proposed action.....	4
Project size.....	4
Permits, Funding, and Overlapping Jurisdiction	4
Alternatives.....	6
Narrative Summary of Proposed Action.....	6
PART II. ENVIRONMENTAL REVIEW CHECKLIST.....	11
Physical Environment.....	11
A) Land Resources.....	11
B) Air	11
C) Water.....	12
D) Vegetation.....	12
E) Fish and Wildlife.....	13
Human Environment.....	14
A) Noise/Electrical Effects	14
B) Land Use	14
C) Risk/Health Hazards	15
D) Community Impact	15
E) Public Service/Taxes/Utilities	16
F) Aesthetics/Recreation	17
G) Cultural/Historical Resources	17
Significance Criteria.....	18
PART III. NARRATIVE EVALUATION AND COMMENT	19
PART IV. PUBLIC PARTICIPATION.....	19
Level of Public Involvement	19
Duration of Comment Period	19
PART V. EA PREPARATION.....	20
Person responsible for preparing the EA:	20
REFERENCES CITED.....	20

MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

Proposed state action

The proposed action is for the Montana Department of Fish, Wildlife and Parks (MFWP) to purchase a conservation easement on approximately 405 acres of private land in the Bridger Mountain foothills of Gallatin County, Montana. The White Deer Meadows Property (hereafter referred to as the Property) is currently owned by Six Bears Holdings LP, who are offering MFWP the opportunity to purchase a conservation easement. The proposed Conservation Easement would ensure the Property would remain un-subdivided, would protect wildlife habitat and vegetation resources, and would allow public hunting access to portions of the Property in perpetuity. The Property provides critical mule deer winter range, and the Property abuts other conservation areas.

Agency authority for the proposed action

The people of the State of Montana recognize that certain native plant communities and important fish and wildlife habitat are worthy of perpetual conservation and have authorized the Department to acquire perpetual conservation easements as described in Montana Code Annotated (MCA) 87-1-209 from willing landowners by voluntary, cooperative means.

Parts II and III of this EA include comprehensive analysis of the factors required by MCA 87-1-241, rules for acquisition of any interest in land for wildlife habitat. These will appear with citations throughout this document and as follows:

- a) Wildlife populations and use currently associated with the Property (Part I, Narrative Summary; Part II, Physical Environment, E)
- b) Potential value of the land for protection, preservation, and propagation of wildlife; (Part I, Narrative Summary; Part II, Physical Environment, E)
- c) Management goals proposed for the land and wildlife populations, and where feasible, any additional uses of the land such as livestock grazing or timber harvest (Part I, Narrative Summary, Part II, Physical Environment, D; Appendix A, Management Plan)
- d) Any potential impacts to adjacent private land resulting from proposed management goals, and plans to address such impacts (Part II, Human Environment)
- e) Any significant potential social and economic impacts to affected local governments and the state (Part II, Human Environment)
- f) Land maintenance program to control weeds and maintain roads and fences (Part I, Narrative Summary; Appendix A, Management Plan)

This analysis will be made available for review by each owner of land adjacent to this Property, and to any member of the public. A public hearing will be held in the affected area. See Part IV for more information on public outreach and distribution.

Anticipated Schedule

EA Released for public comment August 31, 2018

Public comment period 27 days, public comment ends September 27, 2018.

Public meeting held Tuesday, September 11, 6-8pm at 1400 S. 19 Ave., Bozeman.

Comment prepared and summarized for decision notice to the Fish and Wildlife Commission
October 2, 2018

Location affected by proposed action

The 405-acre proposed Conservation Easement exists in Gallatin County on the west side of the Bridger Mountains south of North Cottonwood Creek, with legal description as follows:

- Township 2 North, Range 5 East SE ¼ of Section 23 (161.62 acres)
- Township 2 North, Range 5 East S ½ of the SW ¼ of Section 23 (81.62 acres)
- Township 2 North, Range 5 East NW ¼ of Section 26 (161.62 acres)

Project size

The total acreage of the proposed Conservation Easement is approximately 405 acres. The Property is surrounded by other conservation lands: the Maher easement (MFWP; 881 acres) to the south, the Armstrong easement (Gallatin Valley Land Trust; 400 acres) to the north, and US Forest Service land to the east. There is an approximately 10-acre building envelope where there currently exists an old farmhouse with two outbuildings. Terms in the proposed Conservation Easement allow for one single-family residence, a guest home, and associated outbuildings to be placed in this 10-acre building envelope.

Permits, Funding, and Overlapping Jurisdiction

Permits N/A

Funding

The appraised value of the Property before easement is \$3,077,000. The after-easement value appraised at \$1,215,000. Therefore, the value of the Conservation Easement is \$1,862,000. The landowners have agreed to donate a portion of that value in the amount of \$100,000. The majority of the funding for the Conservation Easement would come from Habitat Montana. Some funding may also be derived from the Mule Deer Auction License account or other funding sources.

FWP	\$1,762,000
<u>Landowner Donation</u>	<u>\$100,000</u>
Total	\$1,862,000

Other Overlapping or Additional Jurisdictional Responsibilities

<u>Agency Name:</u>	<u>Type of Responsibility</u>
FWP Fish & Wildlife Commission	easement purchase approval

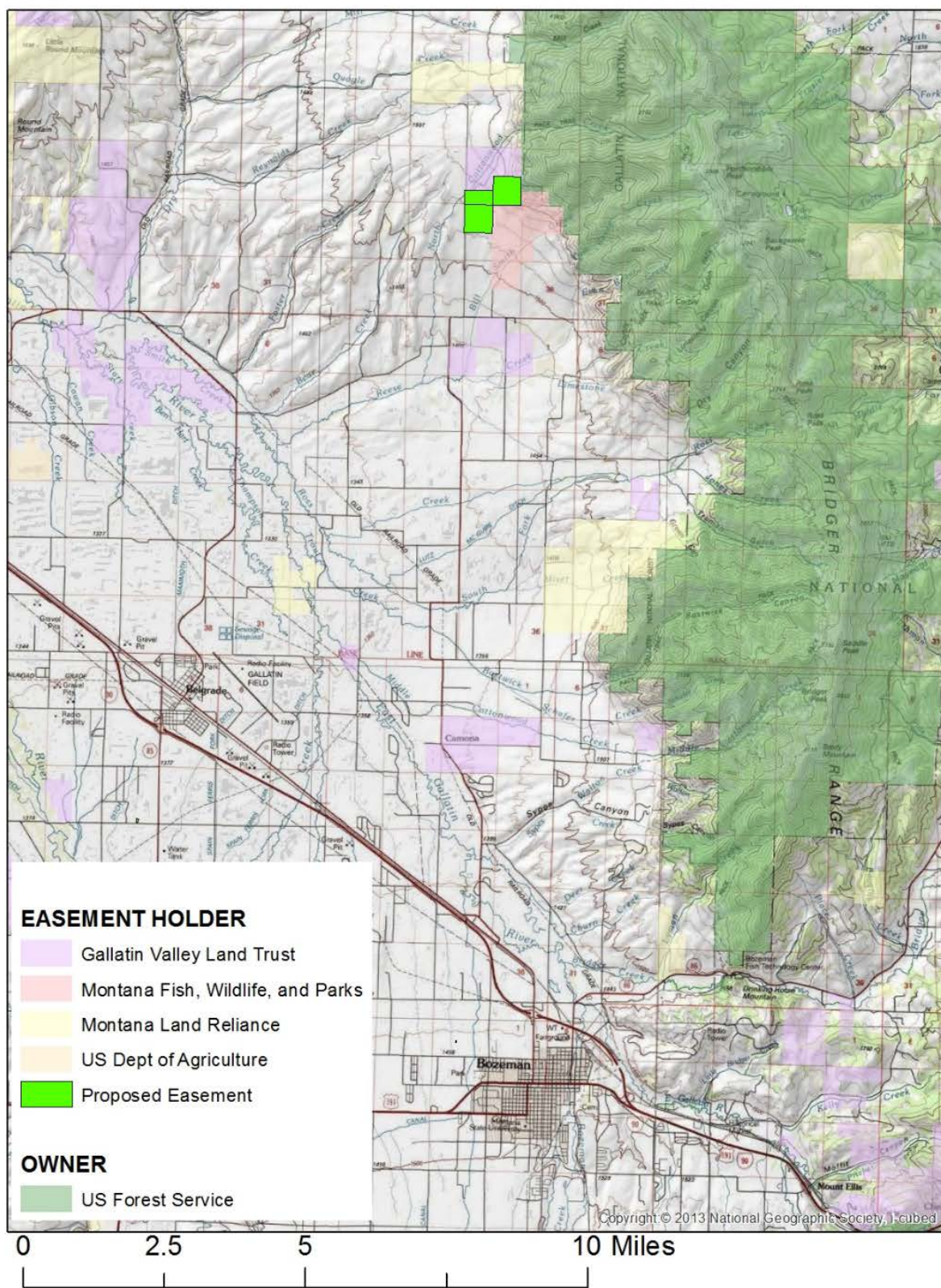


Figure 1: General area map showing Bozeman and Belgrade with the Bridger mountain range, nearby conservation easements, and the White Deer Meadows Property for the proposed Conservation Easement (green).

Alternatives

Alternative A: No Action

Under the No Action alternative, MFWP would not purchase a conservation easement on the Property. The owners would either seek another easement buyer or may not place the Property into conservation easement at all. Public access to the Property may not be allowed. Current or future owners could subdivide and develop the Property.

Alternative B: Proposed Action

MFWP proposes to purchase a 405-acre Conservation Easement on the Property. The Easement would prevent future subdivision, would enable public hunting access to a portion of the Property, and would protect habitat values through Conservation Easement terms. These acres provide critical mule deer winter range on grassland, sagebrush, and south-facing and habitat for elk and white-tailed deer, black bear, mountain lion, blue grouse, ruffed grouse, turkey, and a variety of nongame wildlife.

Narrative Summary of Proposed Action

The Property possesses a mosaic of deciduous shrubland, sagebrush steppe, coniferous forest, and montane grassland on a south-facing aspect that makes it high-value ungulate winter range. Approximately 30 acres of riparian vegetation include aspen clone, willow, and mature cottonwood. Approximately 160 acres of shrub-steppe include antelope bitterbrush, sagebrush, snowberry, chokecherry, serviceberry, and Rocky Mountain juniper. Approximately 180 acres of montane grasslands include native components (Idaho fescue, western wheatgrass, and prairie junegrass) and non-native components (smooth brome, orchard grass, Kentucky bluegrass, and mountain timothy), with non-native components mainly aligned with the hay pastures on the south end of the Property. Approximately 30 acres of conifer-dominated forest mainly include Douglas fir and Rocky Mountain juniper. Approximately 1,000 yards of North Cottonwood Creek flows through the Property. There are 2 springs on-site, and 1 spring that flows into the Property. The Property has 2 historic ditches for irrigating the hay pastures

The Property is part of a critical winter range that supports 200-400 mule deer in the Northwest Slope population, also known as Population Habitat Unit 1 (Pac et al. 1991). The Property is a “keystone” piece of the land, the last remaining foothills area to be secured to protect this important mule deer winter range (Figure 2). Development of private land is one of the highest potential threats to Bridger Mountain mule deer. The area may also provide habitat for 3 mammal species of concern and 5 bird species of concern (Montana Natural Heritage Program, accessed 8/13/2018). Other wildlife values include use by 100-150 elk, white-tailed deer, black bear, mountain lion, bobcat, coyote, red fox, Merriam’s turkey, ring-necked pheasant, blue grouse, ruffed grouse, golden eagle, red-tailed hawk, northern goshawk, and prairie falcon (Cunningham personal observation, MFWP 1994).

The current owners recently purchased the Property from the family of its long-time owner. Their goals are to manage the Property for its aesthetic, intrinsic, wildlife, recreational, and agricultural values for the benefit of both current and future generations. The two primary management goals (MCA 87-1-241 item c) of the proposed White Deer Meadows Conservation Easement are to: 1) maintain and/or improve the quality and amounts of native habitats and important agricultural habitats for wildlife without displacing private land use and 2) to provide a guaranteed public hunting access opportunity. Management areas of the Property include: the approximately 160 acres of mountain foothills and native conifer/shrub-steppe lands (the Hunting Zone), the approximately 80 acres of riparian habitat near the building envelope (the Riparian Area), and approximately 160 acres of agricultural land (the Agricultural Area), currently used for seasonal cattle grazing (Figure 3).

These management goals would be met through multiple terms in the Conservation Easement (Appendix B) and Management Plan (Appendix A). Terms include:

- Restriction of residential structures (1 single-family home and 1 guest home with associated outbuildings) to the 10-acre building envelope. The 405-acre site currently is made of 3 distinct parcels, and the proposed Conservation Easement would unify these into a single unified title as a single unit. This term ensures the 405-acre parcel would not be subject to further subdivision, and that the wildlife habitat would not be fragmented.
- Native grasslands and riparian areas would be protected from removal or manipulation, such as conversion to tillage agriculture.
- A grazing management plan would be adhered to for protection of the grassland resources for wildlife habitat, following MFWP grazing standards.
- Timber harvest could occur only through Management Plan allowances.
- Provisions for public hunting access to the Hunting Zone and adjacent US Forest lands, and prohibitions against sale or lease of hunting or fishing access to the land or charging trespass fees.

The emphasis on public hunting access opportunity in the Conservation Easement aligns with the Hunting Zone due to concerns for safety around residential structures. Landowners may allow additional hunting across the Property at their discretion. The Easement would allow hunting game animals and game birds of all sex and age classes within the Hunting Zone in accordance with the hunting regulations adopted by the State of Montana. When demand exists during the general hunting seasons, the landowner would be required to permit up to 3 hunting parties per day, approximately 170 public hunter days on the land per year. This number is based off the same calculation that provides hunting access to the neighboring MFWP Maher easement (1994). MFWP would provide one-time funding to improve an existing road and create a parking area for hunter access to the Hunting Zone (Figure 4). The cost of these improvements is estimated to be between \$6,000 and \$12,000 from Habitat Montana operations fund. Further details are included in the Management Plan (Appendix A)

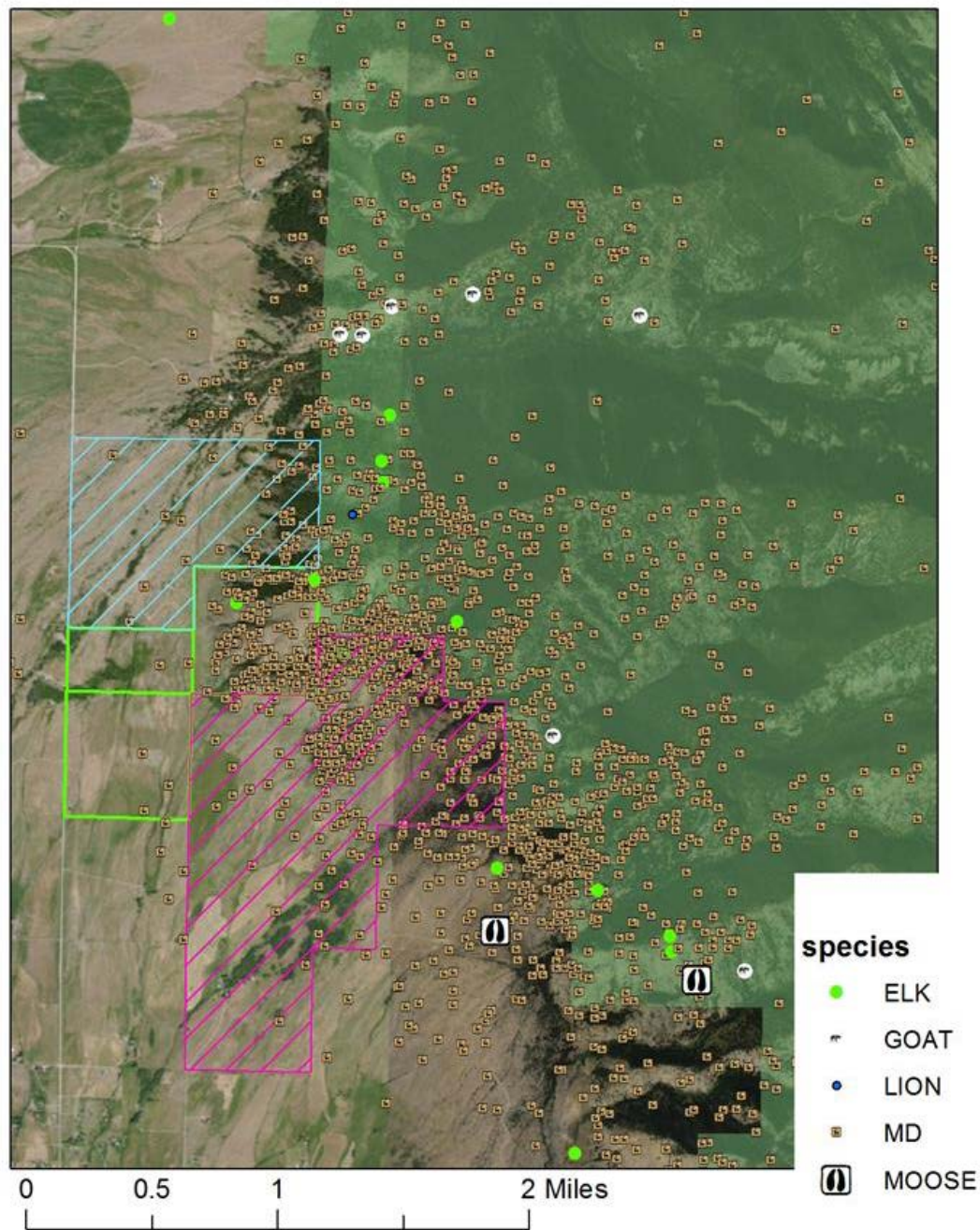


Figure 2: Area map with wildlife sighting data overlay from mule deer survey and inventory from 2008-present, including mule deer radio telemetry locations November-April 1975-1996. The Property is outlined in bright green. The land with the blue hash lines is the Armstrong property (Gallatin Valley Land Trust easement) to the north. The land with the pink hash lines is the Maher property (MFWP easement) to the south. Animal icons represent distribution of sightings of groups ranging from 1 to 52 individual animals.

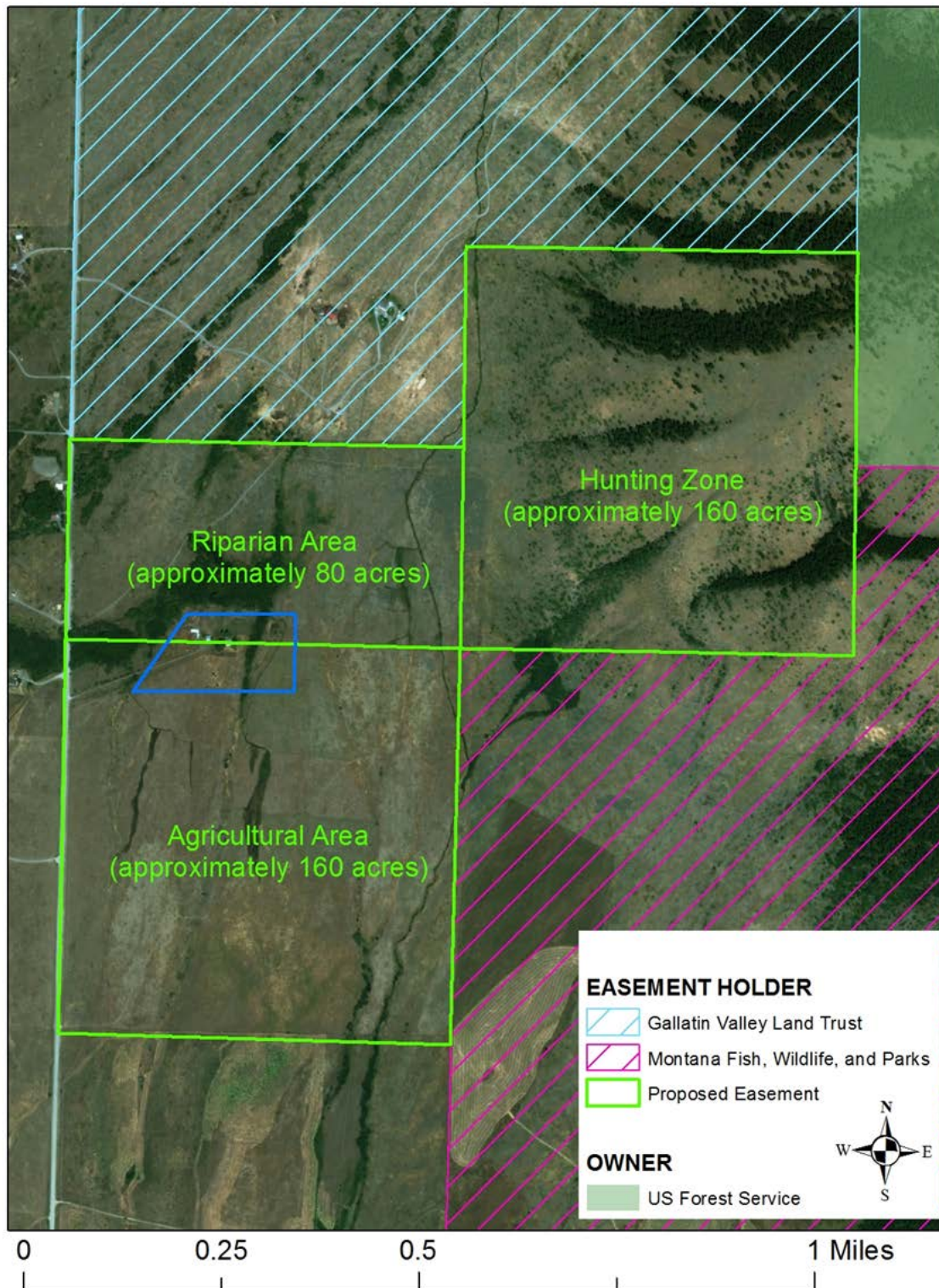


Figure 3: The White Deer Meadows Property outlined in green showing approximate acreage for the three areas of management interest. The 10-acre building envelope is outlined in blue. Adjacent US Forest Service and neighboring conservation easements as shown.

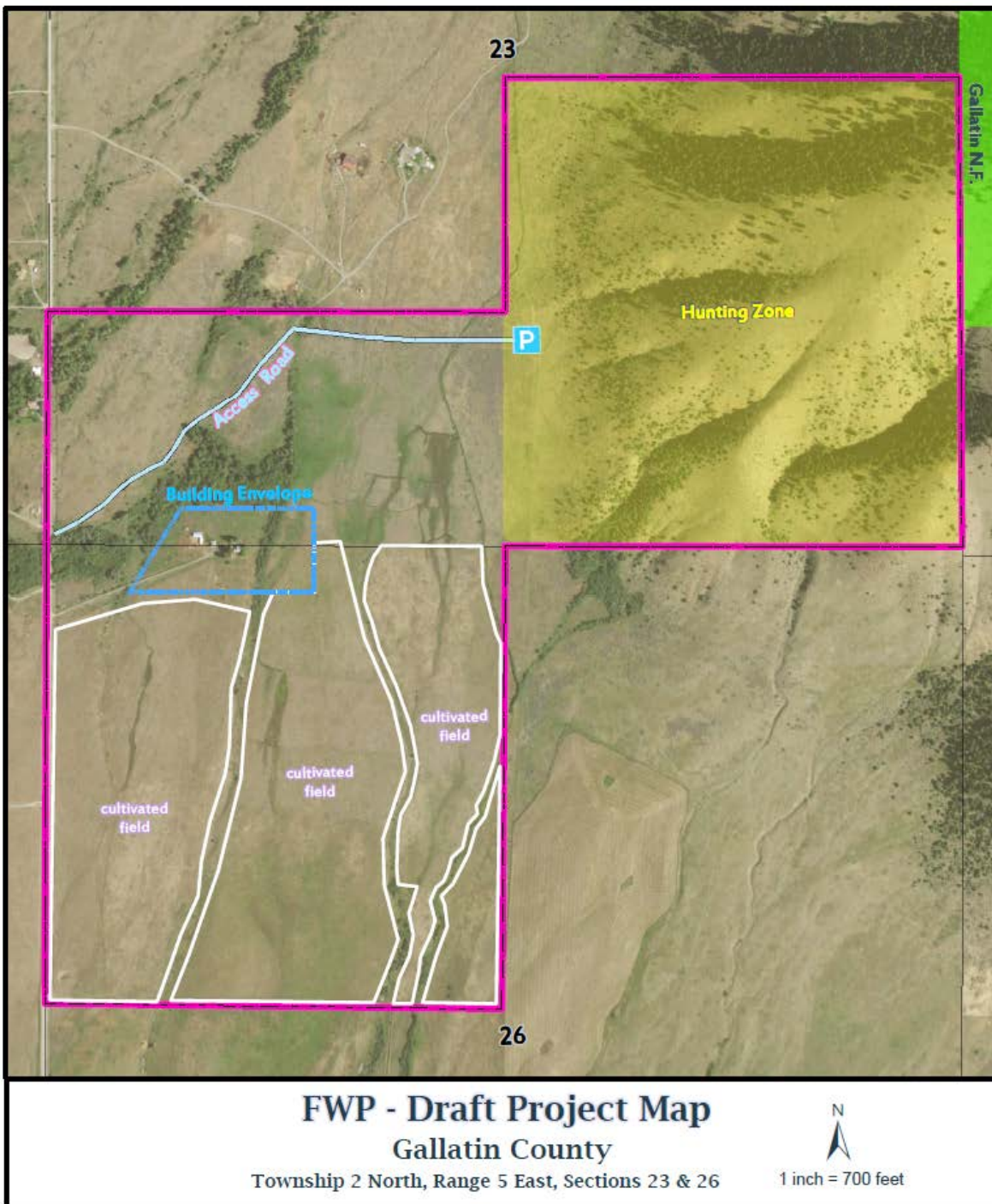


Figure 4: Proposed access road and parking area leading past the building envelope to the Hunting Zone.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

Physical Environment

A) Land Resources

Will the proposed action result in:

- a) Soil instability or changes in geologic substructure?**
- b) Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?**
- c) Destruction, covering, or modification of any unique geologic or physical features?**
- d) Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?**
- e) Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?**

The proposed Conservation Easement would result in minor positive changes to area land resources. The Easement would prevent further conversion of native grasslands, thereby preventing potential disruption, erosion, or moisture loss of existing soils. The Easement would confine building activities to a 10-acre envelope with existing development, rather than allow development of additional home sites which could over-cover soil.

As a part of the proposed Easement, FWP would improve an existing route to provide for hunter access to the Hunting Zone. The existing road is approximately 0.61 miles long, 0.35 miles of which do not need additional work. The work on the remaining 0.18 to 0.25 miles would entail at a minimum bringing in gravel for road stabilization and to prevent erosion, and grading and gravelling a parking area. At maximum, the road improvement may require crossing a shallow agricultural irrigation ditch with a rock substrate which would entail bringing in additional cobble to further harden the substrate. The road work would be designed to prevent erosion throughout. The parking area would be approximately 1,000 ft² and would be located in an area to minimize disturbance to native soils and vegetation.

B) Air

Will the proposed action result in:

- a) Emission of air pollutants or deterioration of ambient air quality?**
- b) Creation of objectionable odors?**
- c) Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?**
- d) Adverse effects on vegetation, including crops, due to increased emissions of pollutants?**
- e) For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regulations**

The proposed Conservation Easement would have no impact on air pollution.

C) Water

Will the proposed action result in:

- a) Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?**
- b) Changes in drainage patterns or the rate and amount of surface runoff?**
- c) Alteration of the course or magnitude of floodwater or other flows?**
- d) Changes in the amount of surface water in any water body or creation of a new water body?**
- e) Exposure of people or property to water related hazards such as flooding?**
- f) Changes in the quality of groundwater?**
- g) Changes in the quantity of groundwater?**
- h) Increase in risk of contamination of surface or groundwater?**
- i) Effects on any existing water right or reservation?**
- j) Effects on other water users as a result of any alteration in surface or groundwater quality?**
- k) Effects on other users as a result of any alteration in surface or groundwater quantity?**
- l) For P-R/D-J, will the project affect a designated floodplain?**
- m) For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations?**

The proposed Conservation Easement has few provisions related to water. The landowners would retain their rights to use, develop, and maintain water resources. Any new developments or changes in water use that could have adverse impact on streams/wetlands/riparian areas would be prohibited. The landowners retain their right to develop a fish pond. If the hunting access road crosses the agricultural ditch, the crossing would be designed to prevent erosion and mitigate turbidity through hardened crossing. No change to water resources is expected as a result of the proposed action.

D) Vegetation

Will the proposed action result in:

- a) Changes in the diversity, productivity, or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?**
- b) Alteration of a plant community?**
- c) Adverse effects on any unique, rare, threatened, or endangered species?**
- d) Reduction in acreage or productivity of any agricultural land?**
- e) Establishment or spread of noxious weeds?**
- f) For P-R/D-J, will the project affect wetlands, or prime and unique farmland?**

The vegetative quality and condition of the land is expected to improve under the proposed action through specific provisions in the Conservation Easement and in the Management Plan.

Native vegetation may not be removed, damaged, or manipulated except for reasons of protection and maintenance of the Property, or for habitat enhancement or disease control. Timber harvest may only occur for specific forest management actions for improvement of wildlife habitat and if both MFWP and the landowners agree to the plan. The agricultural portions of the land would be maintained as agricultural with no potential changes to reduction in acreage or productivity. The landowner would retain the right to use chemicals to control noxious weeds in a manner that would minimize damage to native plants.

A Montana Natural Heritage search for plant species of concern for the Township 2N Range 5E (8/13/2018) revealed only white bark pine, which does not exist on this low-elevation site.

E) Fish and Wildlife

Will the proposed action result in:

- a) Deterioration of critical fish or wildlife habitat?**
- b) Changes in the diversity or abundance of game animals or bird species?**
- c) Changes in the diversity or abundance of nongame species?**
- d) Introduction of new species into an area?**
- e) Creation of a barrier to the migration or movement of animals?**
- f) Adverse effects on any unique, rare, threatened, or endangered species?**
- g) Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?**
- h) For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat?**
- i) For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location?**
- j) As per MCA 87-1-241 address a) the wildlife populations and use currently associated with the property, and b) the potential value of the land for protection, preservation, and propagation of wildlife.**

The proposed Conservation Easement would result in benefits to wildlife including mule deer, elk, white-tailed deer, black bear, mountain lion, mountain grouse, Merriam's turkey, and other game and nongame species (Figure 2). The Property provides critical winter range for mule deer (Pac et al. 1991). Mule deer in this winter range are genetically unique from neighboring areas suggesting site-fidelity of female mule deer to this winter range going back thousands of years (Cronin et al. 1991). The proposed Conservation Easement would be expected to maintain and improve the wildlife habitat of the land (see above section on vegetation), protecting the ability of wildlife to move across the landscape through the proposed and adjacent conservation lands. The proposed Conservation Easement prohibits subdivision of these 405 acres. Under the proposed Conservation Easement, the tracts would be unified, and the 405 acres would remain intact in perpetuity. Any fences that would be used on the land must not be barriers for wildlife. The proposed agreements related to vegetation (timber, agriculture, native plants) are designed to

benefit wildlife populations. No wildlife species would be moved or exported in this proposed action.

Species of concern would generally benefit from the proposed action by conserving native wildlife habitats in perpetuity. A search of the Montana Natural Heritage Program (8/13/2018) for Township 2N, Range 5E indicated three mammal species of concern: wolverine, hoary bat, and little brown myotis. Bird species of concern included ferruginous hawk, flammulated owl, golden eagle, gray crowned rosy-finch, and great gray owl. No amphibian, reptile, fish, or invertebrate species of concern were reported in this Township.

Human Environment

A) Noise/Electrical Effects

Will the proposed action result in:

- a) Increases in existing noise levels?**
- b) Exposure of people to serve or nuisance noise levels?**
- c) Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?**
- d) Interference with radio or television reception and operation?**

The proposed Conservation Easement would not result in any increases in noises or electrical effects. The proposed Conservation Easement could result in positive benefits, as a single home on 405 acres would have less noise than multiple homes would in the event the Property was subdivided.

B) Land Use

Will the proposed action result in:

- a) Alteration of or interference with the productivity or profitability of the existing land use of an area?**
- b) Conflict with a designated natural area or area of unusual scientific or educational importance?**
- c) Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?**
- d) Adverse effects on or relocation of residences?**
- e) Impacts on adjacent private lands (MCA 87-1-241 item d)?**

The proposed action brings a benefit to the nearby natural areas (described in Narrative Evaluation) and to areas with special scientific and educational interest. The Property holds a wildlife exclosure where vegetation has been studied since the 1950s, and the area is critical winter range a mule deer herd (Pac et al. 1991). Generations of Montana State University students and professors have studied the vegetation and wildlife in this area.

There are no anticipated conflicts with any existing land uses on or around the Property. The sole structures on the Property are within the proposed 10-acre building envelope, so no residences need to be relocated. The Easement would allow grazing and farming to continue.

As Gallatin County faces extreme population growth, demand for subdivision lots is high: the potential profitability of the Property would be reduced through the prohibition of subdivision. However, the proposed Conservation Easement would conserve the Property as open space and assure the conservation values unique to the Property would be retained. The addition of a conservation easement to the Property would complement the adjacent properties, two of which are also in conservation easements, creating a net benefit to the larger landscape as critical habitat functions would be retained (MCA 87-1-241 item d).

FWP would help improve an existing farm road from the county road (Rocky Mountain Road) to the Hunting Zone. Afterward, the landowner would continue to be responsible for managing the Property including control of noxious weeds (MCA 87-1-241 item f)

C) Risk/Health Hazards

Will the proposed action result in:

- a) Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?**
- b) Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?**
- c) Creation of any human health hazard or potential hazard?**
- d) For P-R/D-J, will any chemical toxicants be used?**

The proposed action would not increase risks or health hazards in the area and may provide benefits through Easement restrictions. The Easement explicitly states:

“Any petroleum products, explosives, hazardous substances, toxic substances, and any other substance which may pose a present or potential hazard to human health or the environment shall not be released or dumped on the Land at any time, and shall not be stored or used, except as lawfully stored and used in necessary quantities for agricultural purposes and except as part of the oil and gas exploration and development activities specifically provided in this Easement. The installation of underground storage tanks is prohibited.”

The Easement allows for use of agricultural chemicals to control noxious weeds in a manner that would minimize damage to native plants. Limitations on future oil, gas, and mineral exploration are outlined in the Conservation Easement. Dumping, storage, and disposal of waste/refuse on the land would be prohibited.

D) Community Impact

Will the proposed action result in:

- a) Alteration of the location, distribution, density, or growth rate of the human population of an area?**
- b) Alteration of the social structure of a community?**
- c) Alteration of the level or distribution of employment or community or personal income?**
- d) Changes in industrial or commercial activity?**
- e) Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?**

The proposed action would restrict the Property to one homesite, reducing the area available for other residences. Given the relatively small scale of the Property and other nearby developments, this reduction alone is not expected to impact the overall distribution, density, or growth rate of the human population in the Gallatin Valley. As current grazing and agricultural practices are allowed through the terms of the Easement, the proposed action should not change social structures, level of employment or personal income, industrial or commercial activity. The subdivision prohibition would prevent potential increases in traffic hazards in this immediate area. The provision to allow public hunting access is in-keeping with tradition on this land and neighboring lands. MFWP does not expect the proposed action to result in any negative impacts on adjacent private lands (MCA 87-1-241 item d).

E) Public Service/Taxes/Utilities

Will the proposed action result in:

- a) An effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services (MCA 87-1-241 item e)?**
- b) An effect upon the local or state tax base and revenues (MCA 87-1-241 item e)?**
- c) A need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?**
- d) Increased use of any energy source?**
- e) Define projected revenue sources**
- f) Define projected maintenance costs**

The proposed action would increase MFWP's involvement on the Property as MFWP personnel perform annual and routine conservation easement monitoring and work with the landowner as needed to ensure conservation values are retained. Area wildlife staff would also be involved in communications about hunting access and habitat projects. MFWP already works on the neighboring lands, so overall increase in personnel capacity is not substantial. MFWP has agreed to fund the one-time improvements to the hunter access road to the mountain foothills

hunting portion of the Property at an estimated cost of between \$6,000 and \$12,000 from the Habitat Montana Operations fund. After this investment, the landowner would be responsible for management of the Property.

Power, natural gas, communications, energy use, and other governmental services would not be expected to change under the Easement terms. Local or state tax base and revenues, local schools, and private businesses, would not change from the current situation under the proposed action, and the land would continue as a single owner on the Property (MCA 87-1-241 item e).

F) Aesthetics/Recreation

Will the proposed action result in:

- a) Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?**
- b) Alteration of the aesthetic character of a community or neighborhood?**
- c) Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)**
- d) For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted?**

The proposed action would protect and potentially improve the natural scenic vista, aesthetic character, and recreational qualities of the area through prevention of further subdivision and the allowance for public hunting access on a portion of the land. The guaranteed public access component includes provision for up to 3 hunting parties per day, or approximately 170 hunter-days per year. The public access would include access to adjacent US Forest Service lands in the Bridger Mountains that would otherwise be difficult to reach. The proposed Easement would continue the agricultural and open-space character of the area. The Property does not include any designated or proposed wild or scenic rivers, trails, or wilderness areas.

G) Cultural/Historical Resources

Will the proposed action result in:

- a) Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?**
- b) Physical change that would affect unique cultural values?**
- c) Effects on existing religious or sacred uses of a site or area?**
- d) For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance.**

The proposed Easement does not involve any physical change to the landscape, so it should not affect any potential historic or cultural resources. There is an existing road from the county road (Rocky Mountain Road) to the proposed Hunting Zone. MFWP proposes to help improve this existing road, not create a new road.

Significance Criteria

Will the proposed action, considered as a whole:

- a) Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total).**
- b) Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?**
- c) Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?**
- d) Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?**
- e) Generate substantial debate or controversy about the nature of the impacts that would be created?**
- f) For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy?**

The proposed Conservation Easement would complement adjacent lands that have conservation easement protection as well as adjacent public lands. Collectively, these lands provide critical ungulate winter range habitat. Winter range habitats are sensitive to suburban development. The proposed action would help retain these conservation values by restricting development and allowing traditional uses of the Property while also providing for public hunting access. Any cumulative aspect of this proposed action would be beneficial to the Property and the immediate surrounding area. The proposed action is not expected to have significant opposition, controversy, potential risks, or adverse effects.

PART III. NARRATIVE EVALUATION AND COMMENT

The goal of the proposed Conservation Easement is to provide perpetual wildlife habitat protection to, and public hunting access on, an important property in the Bridger Mountain foothills. Land, air, water, vegetation, and wildlife resources are expected to benefit through the proposed Conservation Easement terms and associated Management Plan. The project would benefit the critical winter range for an important sub-population of Bridger Mountains mule deer. The human environment should experience benefits from this proposal. The public would be able to enjoy this Property during fall hunting seasons. The Easement would be expected to have conservation benefits beyond its size and borders, providing in integral piece of connected habitat to preserve open space and critical mule deer winter range.

PART IV. PUBLIC PARTICIPATION

Level of Public Involvement

The public will be notified in the following manners to comment on this current EA, the proposed action and alternatives:

Public notices in the Bozeman Chronicle and the Helena Independent Record.

Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.

Copies of this environmental assessment will be distributed to interested parties and adjacent landowners (MCA 87-1-241 rule 2) to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this limited scope.

Duration of Comment Period

The public comment period will extend for 27 days following the publication of the legal notice in area newspapers. A public meeting will be held **Tuesday, September 11, 2018** from 6-8pm at the Bozeman office of Montana Fish, Wildlife and Parks (address below; Part V). Written comments will be accepted through **Thursday, September 27, 2018** and can be e-mailed or mailed to the address below (Part V). Comments must be received by September 27, 2018.

PART V. EA PREPARATION

Based on the significance criteria evaluated in this EA, an EIS is not required. The proposed action is expected to be a benefit to the physical and human environment. The proposed Conservation Easement does not propose a new structure or development, just an improvement to an existing road.

Person responsible for preparing the EA:

Julie A. Cunningham
Bozeman Area Biologist
1400 S. 19th Avenue
Bozeman, MT 59718
(406) 994-6341
juliecunningham@mt.gov

REFERENCES CITED

- Cronin, M. A., M. E. Nelson, and D. F. Pac. 1991. Spatial heterogeneity of mitochondrial DNA and allozymes among populations of white-tailed deer and mule deer. *Journal of Heredity*. 82:118-127.
- Pac, D. F., R. J. Mackie, and H. E. Jorgensen. 1991. Mule deer population organization, behavior, and dynamics in a northern Rocky Mountain environment. *Montana Fish, Wildlife and Parks Final Report project # W-120-R-7-18*. 316 pp.
- MFWP, 1994. Maher Ranch Conservation Easement. Environmental Assessment, Management Plan, and Socio-Economic Assessment.